

REMARKS

Claims 49-70 are pending in the present application. Claims 49 and 61 are independent.

The claims have been amended to further clarify the invention and to improve form according to U.S. patent practice. No new matter is added.

An RCE is concurrently filed herewith.

Personal Interview Request

Applicant hereby officially requests a personal interview with the Examiner when the Examiner is ready to act on this application. The Examiner is respectfully requested to contact the undersigned to schedule the interview.

Claim rejections – 35 U.S.C. § 102 and § 103

Claims 49-56, 58, 60-66, 68 and 70 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Harrah U.S. 6,936,855 B1 in combination with Arakawa et al. U.S. 5,994,212. 57, 59, 67 and 69 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the above combination as applied to the above claims and further in view of Mazzochette et al. These rejections, insofar as they may pertain to the presently pending claims, are respectfully traversed.

Without acquiescing to any of the Examiner's allegations made to reject these claims, but to advance prosecution only, each of independent claims 49 and 61 have been amended in a varying scope. Particularly, amended independent claim 49 now recites a light emitting device package that includes:

- a base having an entire top surface that is flat;
- a light emitting device on the flat top surface of the base;
- an electrical circuit layer including a circuit with a predetermined pattern to electrically connect to the light emitting device, and including at least one end portion, a part of the at least one end portion being placed adjacent to the light emitting device;

an electrode layer disposed above a portion of the electrical circuit layer, and configured to electrically connect between the light emitting device and the electrical circuit layer;

a screen layer having an opening and disposed on the base adjacent to the light emitting device, the screen layer guiding a resin material to define a shape of a lens; and

the lens formed with the resin material guided by the screen layer, and covering the light emitting device and the electrode layer,

wherein the electrical circuit layer is disposed on the base so as not to protrude beyond edges of the base.

Independent claim 61 has been amended in a similar manner. None of the applied references, either taken singly or in combination, teaches each and every feature of amended independent claims 49 and 61.

For instance, Harrah as shown in Figures 1 and 2 discloses a lens 70 covering an LED 10 formed under a heat spreader 60. However, a lead frame 40 extends and protrudes beyond the edges of the heat spreader 60. In clear contrast, Applicant's claimed invention requires "the electrical circuit layer is disposed on the base so as not to protrude beyond edges of the base" (emphasis added) as recited. Further, Harrah nowhere discloses any screen layer. In clear contrast, Applicant's claimed invention requires "a screen layer having an opening and disposed on the base adjacent to the light emitting device, the screen layer guiding a resin material to define a shape of a lens" so that it can form "the lens formed with the resin material guided by the screen layer" (emphasis added) as recited. For instance, as shown Applicant's Figure 3 and the corresponding specification, a silk screen layer 392 functions to guide a resin material poured over the LED 360 to define a shape of a lens to be formed with the resin material. As a result, the lens 360 of a pre-defined and desired shape can be smoothly formed along the silk screen layer 392 and over the LED 360, which is advantageous and cost-effective.

Furthermore, neither Arakawa nor Mazzochette teaches or suggests these deficiencies of Harrah. For example, Arakawa is merely relied on to teach the structure of a lead frame and does not teach any screen layer, much less Applicant's claimed screen layer. Mazzochette is a

reference that the Examiner relied on in a previous Office Action and the Examiner has indicated that the claims of the last Amendment overcomes Mazzochette (see last Interview Summary). Further, Mazzochette does not teach any screen layer, much less Applicant's claimed screen layer.

Accordingly, independent claims 49 and 61 and their dependent claims (due to the dependency) are patentable over the applied art, and reconsideration and withdrawal of the rejections are respectfully requested.

CONCLUSION

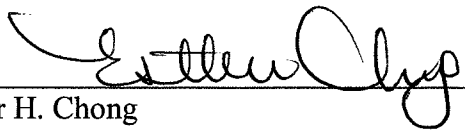
In view of the above amendment and/or remarks, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong, Reg. No. 40,953, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: July 7, 2010

Respectfully submitted,

By 
Esther H. Chong
Registration No.: 40,953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant